

## **MINUTES**

### ***IMPERIAL BEACH CITY COUNCIL REDEVELOPMENT AGENCY PLANNING COMMISSION PUBLIC FINANCING AUTHORITY***

**FEBRUARY 17, 2010**

**Council Chambers  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932**

***CLOSED SESSION MEETING – 5:30 P.M.  
REGULAR MEETING – 6:00 P.M.***

#### **CALL TO ORDER**

MAYOR JANNEY called the Closed Session Meeting to order at 5:30 p.m.

#### **ROLL CALL**

Councilmembers present:	Bragg, McCoy, Rose
Councilmembers absent:	None
Mayor present:	Janney
Mayor Pro Tem present:	King

Staff present: City Manager Brown; City Attorney Lyon; City Clerk Hald

#### **CLOSED SESSION**

COUNCILMEMBER BRAGG announced she had a potential conflict of interest on the Closed Session item related to Seacoast Inn due to the location of her previous employment and, therefore, recused herself from discussion on the item.

#### **MOTION BY MCCOY, SECOND BY BRAGG, TO ADJOURN TO CLOSED SESSION UNDER:**

##### **PUBLIC EMPLOYEE PERFORMANCE EVALUATION/APPOINTMENT**

Pursuant to Government Code Section 54957:

Title: City Manager

##### **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8:

Property: 800 Seacoast Drive, Imperial Beach, CA 91932, APN: 625-262-01-00

Agency Negotiator: City Manager

Negotiating Parties: Imperial Coast Limited Partnership

Under Negotiation: Instruction to Negotiator will concern price and/or terms of payment

#### **MOTION CARRIED UNANIMOUSLY.**

MAYOR JANNEY adjourned the meeting to Closed Session at 5:31 p.m. and he reconvened the meeting to Open Session at 6:06 p.m. Reporting out of Closed Session, MAYOR JANNEY announced Council met earlier in Closed Session, received information from staff, and had no reportable action.

#### **REGULAR MEETING CALL TO ORDER**

MAYOR JANNEY called the Regular Meeting to order at 6:07 p.m.

### **ROLL CALL**

Councilmembers present:	Bragg, McCoy, Rose
Councilmembers absent:	None
Mayor present:	Janney
Mayor Pro Tem present:	King

Staff present: City Manager Brown; City Attorney Lyon; City Clerk Hald

### **PLEDGE OF ALLEGIANCE**

MAYOR JANNEY led everyone in the Pledge of Allegiance.

### **AGENDA CHANGES**

Consensus of City Council to pull Item No. 3.1 – ADOPTION OF URGENCY ORDINANCE NO. 2010-1099 AND FIRST READING AND INTRODUCTION OF ORDINANCE NO. 2010-1100 AMENDING SECTION 9.08.050 PERTAINING TO JUVENILE CURFEW from the agenda and bring it back for City Council consideration on a future agenda.

### **MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/REPORTS ON ASSIGNMENTS AND COMMITTEES**

COUNCILMEMBER BRAGG reported that at the recent League of California Cities Luncheon Meeting they received a presentation on an initiative measure to be submitted to the voters prohibiting the State from taking funds from cities used for transportation or local government projects and services; she thanked Sheriff's Captain Miller for handling a large motorcycle rally that came to town without any incidents; and she announced the recent passing of Fay Sullivan, who was a business owner in I.B. since 1943.

COUNCILMEMBER ROSE announced the Imperial Beach Business Improvement District along with the Imperial Beach Chamber of Commerce and City of Imperial Beach will hold the Imperial Beach Business Expo on March 18.

MAYOR PRO TEM KING reported on his attendance at the State of the County of San Diego Address.

### **COMMUNICATIONS FROM CITY STAFF**

None.

### **PUBLIC COMMENT**

JUNE ENGEL announced she is no longer the closing supervisor at the Jacumba Library branch; and she reported that the library has established a Flickr account where photos of special events are posted and available for viewing.

### **PRESENTATIONS (1.1)**

#### **1.1 RECYCLE ALL-STAR AWARD PRESENTATION. (0270-30)**

MAYOR JANNEY presented the Recycle All-Star Award Certificate and other premiums to Don and Lois Wallace.

MARCO TOPETE, of EDCO, presented the \$100.00 check to Mr. and Mrs. Wallace.

**CONSENT CALENDAR (2.1 - 2.5)**

COUNCILMEMBER MCCOY announced she had a potential business conflict of interest on Item No. 2.4 due to the location of the project and, therefore, recused herself from voting on this item.

**MOTION BY ROSE, SECOND BY KING, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.3 AND 2.5. MOTION CARRIED UNANIMOUSLY.**

**WITH REGARD TO ITEM NO. 2.4, MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>BRAGG, ROSE, KING, JANNEY</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>DISQUALIFIED:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY (DUE TO A POTENTIAL CONFLICT OF INTEREST)</b>

**2.1 MINUTES.**

Approved the minutes of the Regular City Council Meeting of January 20, 2010.

**2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)**

Ratified the following registers: Accounts Payable Numbers 70318 through 70416 with the subtotal amount of \$1,706,261.91 and Payroll Checks 42228 through 42274 with the subtotal amount of \$144,637.24, for a total amount of \$1,850,899.15.

**2.3 RESOLUTION NO. 2010-6852 – SUPPORTING GREEN BUILDING EFFORTS THAT WILL LEAD TO SAVINGS AND INCREASE EFFICIENCY IN SCHOOLS. (0230-95)**

Adopted resolution.

**2.4 RESOLUTION NO. 2010-6853 – APPROVING A TIME EXTENSION FOR ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT (ACP 050428) AND TENTATIVE MAP (TM 050429) FOR THE CONVERSION OF SEVEN EXISTING RESIDENTIAL DWELLING UNITS INTO COMMON INTEREST CONDOMINIUM OWNERSHIP UNITS LOCATED AT 560 FLORIDA STREET, IN THE R-3000-D (TWO-FAMILY DETACHED RESIDENTIAL) ZONE. MF 791. (0600-20)**

Adopted resolution.

**2.5 RESOLUTION NO. 2010-6854 – CLARIFYING AN UNCERTAINTY UNDER THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO ZONING AND NONCONFORMING USES. (0610-95)**

Adopted resolution.

**ORDINANCES – URGENCY/INTRODUCTION/FIRST READING (3.1)**

**3.1 ADOPTION OF URGENCY ORDINANCE NO. 2010-1099 AND FIRST READING AND INTRODUCTION OF ORDINANCE NO. 2010-1100 AMENDING SECTION 9.08.050 PERTAINING TO JUVENILE CURFEW. (0240-95)**

Item pulled from the agenda.

**ORDINANCES – INTRODUCTION/FIRST READING (3.2)**

**3.2 ORDINANCE NO. 2010-1098 – REQUIRING MANDATORY L.E.A.D. OR R.B.S.S. TRAINING FOR ABC ESTABLISHMENTS. (0240-95)**

CITY MANAGER BROWN introduced the item.

SHERIFF'S CAPTAIN MILLER gave a report on the item; she responded to Council's concerns about and regulations on window signage in liquor stores; methods of tracking establishments for compliance with training requirements, as well as renewals.

CITY ATTORNEY LYON spoke about the different ways the ordinance deals with violators.

MAYOR JANNEY called for the reading of the title of Ordinance No. 2010-1098.

CITY CLERK HALD read the title of Ordinance No. 2010-1098, "AMENDING TITLE 9, PUBLIC PEACE, MORALS, AND WELFARE, BY ADDING CHAPTER 9.05 ALCOHOLIC BEVERAGES – RESPONSIBLE BEVERAGE SALES AND SERVICE TO REQUIRING RESPONSIBLE SALES AND SERVICE TRAINING, TO THE IMPERIAL BEACH MUNICIPAL CODE."

**MOTION BY KING, SECOND BY ROSE, TO WAIVE FURTHER READING AND DISPENSE INTRODUCTION BY TITLE ONLY, AND SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING. MOTION CARRIED UNANIMOUSLY.**

**ORDINANCES – SECOND READING & ADOPTION (4.1)**

**4.1 ORDINANCE NO. 2010-1097 – AMENDING SECTION 15.50 OF THE IMPERIAL BEACH MUNICIPAL CODE PERTAINING TO FLOOD DAMAGE PREVENTION. (0770-95)**

CITY MANAGER BROWN introduced the item.

MAYOR JANNEY called for the reading of the title of Ordinance No. 2010-1097.

CITY CLERK HALD read the title of Ordinance No. 2010-1097, "AMENDING SECTION 15.50 OF THE IMPERIAL BEACH MUNICIPAL CODE PERTAINING TO FLOOD DAMAGE PREVENTION."

**MOTION BY MCCOY, SECOND BY BRAGG, TO DISPENSE SECOND READING AND ADOPT ORDINANCE NO. 2010-1097 BY TITLE ONLY.**

**PUBLIC HEARINGS (5.1)**

**5.1 RESOLUTION NO. R-10-209 – APPROVAL OF THE FIVE-YEAR IMPLEMENTATION PLAN FOR THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT AREA. (0640-80)**

MAYOR JANNEY declared the continued public hearing open.

CITY MANAGER BROWN introduced the item.

REDEVELOPMENT COORDINATOR SELBY gave a report on the item.

City Council expressed a desire to have staff look into changing the official title of the redevelopment area to be more descriptive of the area; and there was a request for an update on the Clean and Green Program at the next City Council meeting.

MAYOR JANNEY closed the public hearing.

**MOTION BY KING, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. R-10-209 – ADOPTING A FIVE YEAR IMPLEMENTATION PLAN FOR THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT AREA. MOTION CARRIED UNANIMOUSLY.**

**REPORTS (6.1 - 6.4)**

**6.3 LANGUAGE APPROVAL FOR THE RESPONSIBLE RETAILER PROGRAM (RRP) BROCHURE. (0240-07)**

A Responsible Retailer Program brochure was submitted as Last Minute Agenda Information.

CITY MANAGER BROWN introduced the item.

SHERIFF'S CAPTAIN MILLER gave a report on the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE responded to City Council's questions regarding the CUP process.

**MOTION BY MCCOY, SECOND BY ROSE, TO ADOPT THE PROPOSED LANGUAGE IN THE RRP BROCHURE. MOTION CARRIED UNANIMOUSLY.**

<b><i>Item No. 6.1 will be discussed at 7:00 p.m. – TIME SPECIFIC</i></b>
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**6.1 COMMERCIAL ZONING REVIEW. (0610-95)**

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a PowerPoint presentation on the item and provided a matrix listing the proposed recommendations for residential density, floor area ratios, stepbacks, and setbacks.

Consensus of City Council to allow density of 36 dwelling units per acre in the C/MU-2 and C/MU-3 zones with incentives; a height limit of 35 feet, and a maximum of three stories for both zones, FARs to be re-evaluated based on discussion about height; and they directed staff to continue the discussion at the March 3, 2010 City Council meeting.

STEVE FUTTERMAN spoke in support for density, attracting young, highly educated and skilled workforce to the community, and promoting an economy around a private university or research facility; and he encouraged Council to re-address density.

**6.2 PROPOSED SCOPE OF WORK TO COMPLETE THE TASKS ASSOCIATED WITH THE SECOND CONTRACT AMENDMENT WITH EDWARDS&KELCEY IN THE AMOUNT OF \$50,000 FOR THE COMMERCIAL ZONING REVIEW. (0610-95)**

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a report on the item.

COUNCILMEMBER ROSE requested that the stakeholder group meetings be held separately from the community meeting

**CONSENSUS OF CITY COUNCIL TO APPROVE THE REVISED SCOPE OF WORK.**

**6.4 RESOLUTION NO. 2010-6851 – AMENDING COUNCIL POLICY 112 - ROTATION OF MAYOR PRO TEMPORE DUTIES. (0410-13)**

CITY MANAGER BROWN introduced the item.

City Council asked that the policy be brought back for Council's consideration.

**ADJOURNMENT**

MAYOR JANNEY adjourned the meeting at 8:59 p.m.

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James C. Janney, Mayor

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Jacqueline M. Hald, CMC  
City Clerk